

Testimony of Mary O'Brien
In Opposition to SB 1128
An Act Concerning Influenza Immunization for Health Care Employees

Public Health Committee
March 20, 2013

I wish to thank the Public Health Committee for allowing me to testify.

My name is Mary O'Brien and I am strongly against Bill SB 1128. It should not be mandated for any healthcare employee to receive the flu shot or any other medical procedure. The medical professional should be allowed the choice to decide if they want to get it or not. We are highly educated and there is a reason why we refuse what goes into our body if we don't want it there.

The seasonal influenza changes every year. The influenza vaccination is based on the strands of flu that were present in the last few years. A prediction is made on which flu strand will most likely be around for the coming flu season. It is a prediction, no one knows for sure. It's like predicting the weather. Sometimes the meteorologist is right, sometimes they are wrong. Because the influenza virus constantly changes from one year to the next, the influenza vaccine changes from one year to the next. Yet there is no reliable way to make a 100% definitive match. Even when the vaccine matches the strand for that year, it is only about 62% effective in preventing the flu.

I am an EMT and I was a nursing student at Gateway Community College. It is a two year RN program. In my first year, we were given the choice to either receive the influenza vaccine or sign a waiver. Over half the class of 47 students signed that waiver that stated that they did not want to receive the shot and they had multiple reasons on why. I have never had the flu nor have I ever received the flu shot. I signed the waiver to decline receiving it because I am not going to introduce something into my body that I do not need and can potentially open me up to problems down the road. A vaccine is a form of treatment and all medication and treatment has the potential for side effects that can occur immediately or years from now. I don't want to find out 10 years from now, that there was a problem with the vaccine and have to pay the price of my health because I was forced into it.

In my second year of nursing school, we started the semester in August under the same assumption that we can either receive the influenza vaccine or sign the waiver to decline. In the first week of October, my professor abruptly told the class, "You no longer have a choice, you either get the flu shot, or you don't go to clinical!" So, despite going through the first year of the program, and understanding the original requirements, if we did not get the shot, we were out of the nursing program. There was a gasp from the class, but no further explanation was given. We were told that we must have the shot by October 24th or we were out. I debated with the decision on whether to get the shot or not for weeks particularly when this decision would be made in contradiction with both my training as well as my personal beliefs and philosophy. I thought

about leaving the program all together. If they were going to force us to get the flu shot, what else can they force on us?

After careful research, I informed myself on the benefits and risks of the flu vaccine and then presented them to the Nursing Director. She did not want to see anything I had to show. I looked up the ingredients of each of the seven brands of influenza vaccine that were available this past year. One of them, FluMist is a weakened but live vaccine that is administered via inhalation. The FDA cautions that if someone takes this vaccine, they need to stay away from immunocompromised people for three weeks because you are considered contagious and can pass the flu to these patients. My Nursing Director said that she never heard of such a thing and dismissed me. The information was directly from the FDA website. Other brands of the vaccine contain thimerosal (a mercury derivative), formaldehyde, and antibiotics.

I was doing my clinical on the floors at Smilow Cancer Center. These patients are immunocompromised. If I refused the shot, I could not attend clinical. But if I received this brand of the influenza vaccine, I could not work with my patients.

Finally, on October 24, 2012, I went to CVS and got the thimerosal-free brand Fluzone just one hour before I was supposed to go to clinical. By 10:00pm that night, I started feeling sick. I went home and spiked a fever of 100.4 and I was sick for the next five days. I missed work, class and clinical. My professor then told me that they wanted me to make up my missed clinical day. I had perfect attendance prior to that. I regret getting the shot and will not make that mistake again.

Anytime a patient is given a medication or is to undergo a medical procedure, that patient has rights. Everyone in the medical field knows these rights are for the safety and dignity of the patient. The patient has the right to informed consent. They should know what they are given, why it is being given to them, and what any potential side effects will be. When giving a medication or performing a procedure, the medical professional is to check to be sure that they have the right patient, the right medication, the right route, the right dose, and it is given at the correct time and that it has not expired. After it is given, the medical professional documents what was done and any reactions to the medication or procedure. These are known as the Six Rights.

While I was in nursing school, I was taught of the Seventh Right. If after the patient is informed about the medical procedure or medication that they are about to take and they have any thought or reason that they are uncomfortable in taking the medication or feel that they should not go through with a procedure, the patient has the Right to Refuse what goes into their body or what is done to it.

Receiving an influenza vaccine by injection or the inhaled oral vaccine is a medical procedure. When I or anyone else has that needle pointed at them, we become the patient. We have all the rights of a patient including the Right to Refuse. By mandating the influenza vaccine, that right is

being taken away. I will never force any of my patients to do something that they do not want to do. Why am I being forced?

Please oppose SB 1128 and feel free to contact me with any concerns. Thank you.

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